

A CERTIFIED TRUE COPY

OCT 10 2007

ATTEST *James Bishay*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
TEMPERATURE SALES
PRACTICES LITIGATION

Mark Wyatt, et al. v. BP America Corp., et al.,

S.D. California, C.A. No. 3:07-1754

Evy Young, et al. v. Ambest, Inc., et al.,

D. Guam, C.A. No. 1:07-26

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SEP 21 2007

FILED
CLERK'S OFFICE

FILED

MDL No. 1840

OCT 15 2007

Clerk, U.S. District Court
By: *[Signature]* Deputy Clerk

CONDITIONAL TRANSFER ORDER (CTO-8)

On June 18, 2007, the Panel transferred ten civil actions to the United States District Court for the District of Kansas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 493 F.Supp.2d 1365 (J.P.M.L. 2007). Since that time, 32 additional actions have been transferred to the District of Kansas. With the consent of that court, all such actions have been assigned to the Honorable Kathryn H. Vratil.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Kansas and assigned to Judge Vratil.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Kansas for the reasons stated in the order of June 18, 2007, and, with the consent of that court, assigned to the Honorable Kathryn H. Vratil.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Kansas. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

[Signature]
Jeffrey N. Lüthi
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

OCT 10 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**IN RE: MOTOR FUEL TEMPERATURE SALES
PRACTICES LITIGATION**

MDL No. 1840

INVOLVED COUNSEL LIST (CTO-8)

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UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: (202) 502-2800
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<http://www.jpmi.uscourts.gov>

October 10, 2007

Ingrid A. Campbell, Acting Clerk
259 Robert J. Dole U.S. Courthouse
500 State Avenue
Kansas City, KS 66101-2430

Re: MDL No. 1840 -- IN RE: Motor Fuel Temperature Sales Practice Litigation

(See Attached CTO-8)

Dear Ms. Campbell:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on September 21, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Kathryn H. Vratil
Transferor Judges: Judge Barry Ted Moskowitz, Judge Frances M. Tydingco-Gatewood
Transferor Clerks: W. Samuel Hamrick, Jr., Mary Lou Michels Moran

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK
DISTRICT OF KANSAS

INGRID A. CAMPBELL
ACTING CLERK
E-MAIL: Ingrid_Campbell@ksd.uscourts.gov

KIM LEININGER
ACTING CHIEF DEPUTY CLERK

259 ROBERT J. DOLE U.S. COURTHOUSE
500 STATE AVENUE
KANSAS CITY, KANSAS 66101
(913) 551-5734

Sept. 12, 2007

204 U.S. COURTHOUSE
401 N. MARKET
WICHITA, KANSAS 67202
(316) 269-6491

490 U.S. COURTHOUSE
444 S.E. QUINCY
TOPEKA, KANSAS 66683
(785) 295-2610

U.S. District Court

Re: MDL - 1840 In Re Motor Fuel Temperature Sales Practices Litigation

Your Case: Young vs. Ambest, Inc. 07-26

Dear Clerk:

Attached please find a certified copy of the order from the Judicial Panel on Multi-District Litigation transferring the above entitled action to the District of Kansas, Kansas City, KS. The case has been assigned to the Honorable Kathryn H. Vratil for coordinated or consolidated pretrial processing pursuant to 28 USC 1407.

To expedite this matter, I would appreciate it if you could email the docketed transfer order in .pdf format to carol_kuhl@ksd.uscourts.gov. Once this is accomplished we will go out to your CM/ECF site and retrieve any documents we need, including the docket sheet.

If you prefer to mail the documents to our court, the address is as follows:

United States District Court
Office of the Clerk
500 State Avenue, Room 259
Kansas City, KS 66101
Attention: Carol Kuhl

Sincerely,

Ingrid A. Campbell, Acting Clerk

By: s/carol kuhl